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HB 511

AN ACT GENERALLY REVISING THE COAL RECLAMATION LAWS

February 19, 2007

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This bill is in response to the analysis of the Office of Surface Mining Reclamation and Enforcement on HB 373 from 2003. That response was published in the Federal Register on February 16, 2005.

The bill is complicated because it does several things in different sections over 28 pages. Here is a very brief index of the issues and the pages where they can be found:

1. HB 373 had a contingent voidness clause and because of that fact a number of sections of law were voided when it was determined that portions of 373 were weaker than SMRCA (The Surface Mining and Reclamation Act of 1977). However several requirements of federal law were left out of current law (mainly involving restoration of hydrologic balance, erosion control, water and air pollution control, and the use of best available control technology). These items are added on pages 2,3,8,14,15,19,22, and 27.
2. SMRCA also points to the need for establishment of **diverse vegetation** in order to control erosion and restore the hydrologic balance on mined land regardless of post mine land use on pages 7,13,26, and 27.
3. An entirely different issue, the decrease in federal funding for SMRCA appears on pages 5, 16, 23, 24. The idea is that if federal funding falls to an even lower amount the Department should have extra time to make decisions. An idea of funding problems can be found in note 6 of the Fiscal note.
4. Finally, the amendments offer one other new idea to the bill. Inspections of land reclaimed that has led to bond release ought to be made available to persons who may adversely affected.